

EI-797
CD



05/06/2004 10:27 AM

To "Victoria Rutson" <vicki.rutson@stb.dot.gov>, "Evelyn Kitay" <evelyn.kitay@stb.dot.gov>, "Christa Dean" <deanc@stb.dot.gov>

cc

bcc

Subject Email from ACHP - Enola Branch MOA

> Troy,
>
> Thank you for your email. Please allow me to clarify a few issues.
>
> 1. Consulting parties have expressed concern to us that the proposed
> mitigation (documentation) will not be completed in a timely manner, and
> that the property will be transferred to the municipalities without any
> provisions that the documentation will be completed prior to any adverse
> effects to the property. Specifically, FAST is concerned that the
> communities will demolish properties before they have been documented. I
> have explained to consulting parties that Section 106 is complete when the
> agreement is executed and implemented as per 800.6(c). In the MOA, STB
> commits to seeing that the agreed upon mitigation stipulations are carried
> out. If the documentation is not complete prior to the transfer, then the
> completion of the documentation must be a condition of the transfer.
>
> 2. I have also explained to FAST that the execution of the MOA does not
> preclude any future arrangements that can be made with the three
> municipalities who are deliberating the transfer of land to the County.
That
> being said, if the documentation issue is the only outstanding issue, we
are
> prepared to execute the MOA.
>
> 3. You mentioned in an earlier email that typically STB asks parties to
sign
> the MOA concurrently. However, it is standard practice that the ACHP is
the
> final signatory. I advise you that once you have received SHPO and NS
> concurrence, you begin to circulate the MOA. With STB, NS, and SHPO
> signatures, please forward the agreement to us and I will see that it is
> signed as quickly as possible. It may be appropriate to ask concurring
> parties to sign the MOA concurrently.
>
> I am available today to discuss this further if you should request. My
> number is 202.606.8534. Thank you and thank you for sharing with us the
news
> of your farm, sounds like fun!
>
> Karen Theimer Brown
>
> ----- Original Message -----
> From: <[REDACTED]>
> To: "Zacher, Susan" <szacher@state.pa.us>; "Karen Theimer Brown"
> <ktheimer@achp.gov>; "Don Klima" <dklima@achp.gov>
> Sent: Wednesday, May 05, 2004 9:32 AM
> Subject: Enola Branch MOA
>
>
> > Good Morning,

> >
> > I hope this finds y'all doing well.
> >
> > I just wanted to follow-up on my email of Monday this week. I
understand
> > that you, like the STB, are receiving many calls. However, we believe
> that
> > this Final MOA has only been strengthened beyond the Draft MOA that we
had
> > all agreed upon in September 2003. Therefore, in an effort to move this
> > process forward, can you please indicate where you are with regard to
> > signing the MOA and whether there is anything the STB can do to assist
you
> > in that endeavor.
> >
> > If you have any questions, feel free to contact me at home at
610.793.4301
> > or via email at [REDACTED] (I'm currently having problems
> > accessing my STB email).
> >
> > Troy Brady
> >
>
>